

# HOUSE BILL No. 1189

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 11-12-5-2.5.

**Synopsis:** County inmate work crews. Allows a county sheriff to establish an inmate work program. Specifies inmate eligibility requirements and requires inmates to dress in distinctive county jail uniforms while performing work on crews. Allows a sheriff to require a crew to perform any work the sheriff determines to be appropriate and of benefit to the community except for public work (as defined in the public works projects law).

**Effective:** July 1, 2002.

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**Sturtz**

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January 10, 2002, read first time and referred to Committee on Judiciary.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## HOUSE BILL No. 1189

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 11-12-5-2.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2002]: **Sec. 2.5. (a) As used in this section, "crew" refers to a**  
4 **county inmate public works crew formed by a county sheriff under**  
5 **this section.**

6       **(b) The county sheriff may establish a program that allows**  
7 **persons who have been committed to the county jail upon:**

8           **(1) conviction of a crime; or**

9           **(2) adjudication of contempt;**

10 **to be released from custody temporarily to work on a crew under**  
11 **this section.**

12       **(c) A person is:**

13           **(1) eligible to participate on a crew if:**

14               **(A) the person volunteers to work on the crew;**

15               **(B) the person:**

16                   **(i) is assigned to credit Class I as described in**  
17 **IC 35-50-6; or**



- 1 (ii) has not been assigned to a credit class as described in
- 2 IC 35-50-6 but is otherwise considered eligible for
- 3 temporary release under this section by the county
- 4 sheriff; and
- 5 (C) the county sheriff does not consider the person to be a
- 6 risk to the safety of the community; and
- 7 (2) not eligible to participate on a crew if:
- 8 (A) the person has been committed to the department of
- 9 correction;
- 10 (B) the sentencing or committing court disapproves of the
- 11 person's release; or
- 12 (C) the person has been convicted of:
- 13 (i) a violent crime (as defined in IC 5-2-6.1-8);
- 14 (ii) a forcible felony (as defined in IC 35-41-1-11); or
- 15 (iii) a sex offense under IC 35-42-4 or IC 35-46-1-3.
- 16 (d) The county sheriff:
- 17 (1) may select the persons who are eligible under this section
- 18 to participate on a crew formed by the sheriff;
- 19 (2) shall require persons to dress in distinctive county jail
- 20 uniforms while performing work on a crew;
- 21 (3) shall personally supervise or assign a deputy sheriff to
- 22 supervise a crew; and
- 23 (4) may require a crew to perform any work the sheriff
- 24 determines to be:
- 25 (A) appropriate; and
- 26 (B) of benefit to the community.
- 27 (e) A person who participates on a crew is not eligible to receive
- 28 worker's compensation benefits as a result of any injury sustained
- 29 during the person's participation on the crew.
- 30 (f) A crew or a person who participates on a crew may not
- 31 perform any public work (as defined in IC 36-1-12-2).

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